



Patent
Attorney Docket: 8707-2163
165 - Calcul IE en TV

Appl. No. : 10/663,140 Confirmation No.: 3993
Applicant : Christine HENRY and Laurence GRAINDORGE
Filing Date : 9/16/2003
Title : ACTIVE IMPLANTABLE MEDICAL DEVICE OF THE DEFIBRILLATOR,
CARDIOVERTOR AND/OR ANTITACHYCARDIA PACEMAKER TYPE, HAVING A
HIGH MAXIMUM FREQUENCY FOR ANTIBRADYCARDIA STIMULATION
Group Art Unit : 3762
Examiner : Nicole R. KRAMER
Docket No. : 8707-2163
Customer No. : 34313

Mail Stop: Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

ORIGINAL

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Commissioner:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98(a)(2)(i), only copies of foreign patent documents and non-patent literature are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56.

The submission thereof by Applicant is not to be construed as an admission that any such

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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage affixed, as first class mail in an envelope addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of April, 2006.

DOCSNY1:1205439.1

Sharon B. Leachman

Applicant: : Christine HENRY and Laurence GRAINDORGE
Appl. No. : 10/663,140
Examiner : Kramer, Nicole R.
Atty. Docket : 8707-2163 (Supp. IDS)

patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ The fee of \$180.00 due under 37 CFR § 1.17(p) is submitted herewith by authorization to charge the fee due to the deposit account referenced below.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

Applicant: : Christine HENRY and Laurence GRAINDORGE
Appl. No. : 10/663,140
Examiner : Kramer, Nicole R.
Atty. Docket : 8707-2163 (Supp. IDS)

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:


- ☐ A check in the amount of _____ is enclosed for the above fee(s).
☐ Please charge _____ to Deposit Account No. **15-0665** for the above fee(s).
☒ The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. **15-0665**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: April 14, 2006

By:


Rodger A. Sadler, Esq.
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Substitute for form 1449A/PTO

**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/663,140
Filing Date	Sept. 16, 2003
First Named Inventor	Christine Henry
Art Unit	3762
Examiner Name	Kramer, Nicole R.
Attorney Docket Number	8707-2163

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code ² (if known)		
	AA	5,312,451	May 17, 1994	Limousin et al.
	AB	5,462,060	Oct. 31, 1995	Jacobson et al.
	AC	5,868,793	Feb. 9, 1999	Nitzsche et al.
	AD			
	AE			
	AF			
	AG			
	AH			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country ³ Number ⁴ Kind Code ⁵ (if known)			
	BA	EP 0 626 182 A1	Nov. 5, 1994	Jacobsen, Peter et al.	
	BB	EP 0 838 235 A1	Apr. 29, 1998	Henry, Christine et al.	
	BC	EP 0 550 342 A1	Dec. 12, 1992	Nitzsche, Remi et al.	
	BD				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA		
	CB		

Examiner Signature	DOCSNY1:1205439.1	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicants unique citation designation number (optional). ²See Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450